

## ***APPENDIX A9***

### ***LAND USE***



## **Introduction**

Planning is not a static, one time process. It requires professional input and policy re-evaluation by the Commission on a regular basis and continuing efforts to identify and resolve important issues.

The Town should continue to support and strengthen a professionally capable and adequately staffed Town Planning and Zoning Department. The Commission must be concerned with the day-to-day decision making which influences the specifics of this Plan and with the need to continually re-evaluate the Plan's long range objectives as development patterns and changes take shape.

## **Planning Tools**

### **Zoning**

One of the most effective ways to assure that Darien is developed as planned is through its zoning. Zoning Regulations control the way in which land is used. While Regulations cannot require that land be developed for uses proposed in the Plan, they can prevent land from being developed contrary to the Plan. The Planning and Zoning Commission will continue to periodically review the Zoning Regulations, and amendments to the Regulations can be made from time to time.

If zoning is to continue to be a valuable means of maintaining Darien as a highly desirable residential community, the Planning & Zoning Commission, the Zoning Board of Appeals, the Zoning Enforcement Officer, the Building Official, the Environmental Protection Commission, and the Architectural Review Board must continue to maintain an effective relationship with one another. The integrity and enforcement of the zoning regulations, as they have been established by the Commission, must be paramount. The Zoning Enforcement Officer must have the strong support of all Town officials in order for this vital aspect of the program to be effective.

### **Subdivision Regulations**

Subdivision Regulations, last updated in 1992, are another important tool to control the proper development of the Town. While zoning regulates the use of land, the Subdivision Regulations guide the layout and design of new roads and lots, and ensure that all required improvements are properly accomplished. Subdivision review by the Planning and Zoning Commission makes it possible to continue Darien's long history of well planned development.

The subdivision process also offers the opportunity for implementing some of the Town's open space and recreation objectives. As a part of the approval procedure, the Planning and Zoning Commission requires a developer to set aside a minimum of 10 percent of the land for open space purposes in many of the larger subdivisions which it processes and requires that appropriate measures be taken to protect environmentally sensitive land.

### **Capital Improvements Program**

How the Town of Darien spends money for public improvements (e.g. schools, parks, recreation facilities, open space, roads, sidewalks, and municipal buildings), and the design standards to which they are built, have a major effect upon the development of the Town. Since the authority to initiate and carry out these improvements is widely distributed throughout many agencies of Town government, it is important that the various recommendations for action by these agencies be reviewed by the Planning and Zoning Commission as specifically required by Section 8-24 of the Connecticut General Statutes (Municipal Improvements/Mandatory Referral) so that they will conform to the overall plan for Town development.

The Town of Darien has had, and will continue to need, a Capital Improvement Program (CIP) to guide the Town officials in careful scheduling and implementation of various public works and public land acquisitions that are needed over a period of years as the Town continues to develop and change. Each year the program is restudied and revised in light of changes in priorities required by changing conditions.

Such a CIP will provide the estimated future development needs and costs facing the Town. It will help to give greater stability to the tax rate by spreading improvement costs systematically over a period of years in closer accord with the Town's financial ability, and thus avoids the grouping of several expensive projects in one year with a consequent jump in the tax rate.

### **Private Development**

The vast majority of development in Darien has been and it appears that it will continue to be carried out by private individuals and organizations. Therefore, it is private action that is the most important element in developing the community, guided and regulated by the Town as described above.

Neither the Town Plan, zoning or subdivision regulations, nor the Town agencies which administer these regulations, can force any private individual or agency to develop a particular piece of land for a particular use. However, the Plan provides an orderly framework for private development and related municipal service facilities and, therefore, can be helpful to private enterprises in determining the right type of development and the proper place for it. Where there is a good Town Plan, and it is followed on a continuing basis, private enterprise has a more reliable foundation upon which to plan and build. This not only encourages good development, but also helps to accomplish the Plan's specific recommendations.

### **Town Implementation**

One of the most important aspects of the various proposals in the Plan is the acquisition of land needed for future public purposes within the Town's fiscal capability. If land is not reserved now, it simply may not be available when it is needed in the future.

## 1. **RESIDENTIAL ZONING (including Special Permit uses)**

As noted within the Chapter 7—Housing, and its related Appendix, there are a number of issues related to housing in Darien. It is likely that due to the high cost of land, subdivision of parcels will continue, and houses on oversized lots will seek possible subdivision or resubdivision approval as well. Variances from the Zoning Board of Appeals and applications to the Environmental Protection Commission will increase as more difficult parcels are developed and added on to, as property owners seek to develop their properties to the greatest extent possible.

### **Permitted Uses**

Over the next ten years, the Planning and Zoning Commission should continue to study and continue to consider amending the zoning map. This may be appropriate where existing zone boundary lines split properties and are not a set distance from a street. The residential district boundaries recognize and preserve the character of areas which already have an established residential type of development.

In some areas, existing residential district densities do not match the prescribed density for residential development. This has the effect of making the use of private property difficult for both the homeowner and the Town, where any addition or modification to a single-family residential dwelling is not possible without a variance from the Zoning Regulations.

### **Special Permit Uses within Residential Zones**

The Darien Zoning Regulations allow for a variety of uses of a non-residential nature within all residential zoning districts. This includes such uses as private clubs and places of worship.

Another type of Special Permit use is the Darien Historical Society building on Old King's Highway North. The Darien Historical Society should consider the acquisition of the adjacent property in order to provide for their storage needs and for the possible establishment of a museum-type facility. This will allow the Society to accept more historic donations, as they would have the additional necessary storage space. The museum-type facility would be a worthwhile educational opportunity for local students to learn more about Darien's history.

The Darien Community Association owns 8+/- acres on Middlesex Road. The Town should explore preserving that property. This may be through the use of easements, leases, public-private partnerships, or outright purchase. Similarly, the Ox Ridge Hunt Club is a property which has provided an aesthetic for northern Darien for many years, and the Town should explore preserving through easements or other means all or part of that property as well.

If Special Permit parcels become available, efforts should be made to protect the residential character of the neighborhood. Any future uses should be consistent with residential zoning,

and any succeeding Special Permit uses should be maintained as closely as possible to the prior existing use.

**Commercial Development within residential zones (non-conforming commercial uses)**

One of the few existing commercial businesses in a residential zone is a hardware store at the intersection of Locust Hill Road and Settler's Trail. Two possible uses could be another hardware store or single-family residences.

Another commercial use in a residential zone is a restaurant on Boston Post Road near the Stamford municipal line. This is a pre-existing non-conforming use, and should not be allowed to expand further into adjacent residentially-zoned properties.

The Commission has had a long-standing policy of not allowing additional commercial uses (as distinguished from Special Permit uses) or encroachment into residential zones. That should continue into the future in order to strictly protect these residential areas, which are the core of the Town community.

## **2. NON-RESIDENTIAL ZONING (including Multi-Family Zones)**

### **Multi-Family Zones**

According to the Darien Zoning Regulations, four zoning districts in Town allow multi-family housing. These zoning districts (DBR overlay, DMR, and 3.7AH) are technically considered non-residential zones because they are not exclusively single-family zones. The largest vacant parcel in these zoning districts is the 3.7 acre property on Hollow Tree Ridge Road. It is recommended that access to and from that property be from a shared driveway with Avalon Darien onto Hollow Tree Ridge Road, which is now signalized. This will eliminate conflicts any new curb cut may have with nearby roads, drives, and entrances. A more desirable option would be for development of this property to accommodate the relocation of a single shared driveway with Avalon Darien farther to the south to improve sightlines and safety.

Where logical, the Commission should consider rezoning properties for use as either senior housing or for condominiums. The Procaccini property off of Hoyt Street may be a logical site for such development, if access and wetland issues can be properly addressed.

### **Commercial Zones**

The two largest commercial areas in Town are the downtown/central business district; and the Noroton Heights area (the Heights). There are also smaller commercial areas, such as several sections along the Boston Post Road, and scattered neighborhood business areas.

It is expected that during the next ten years, market forces will determine whether owners seek to convert existing commercial development within DBR overlay zones to multi-family housing. The Planning & Zoning Commission does not recommend expansion of these four non-residential zones into traditional single-family residential zones.

The Commission should be hesitant to rezone existing commercial properties for other uses. The amount of commercial property in Town is quite limited, and as noted in the goals throughout this document, there is a desire for the community to have a mix of zones, and not be entirely residentially zoned. While the Town community is and should remain primarily a residential community comprised mostly of single-family residences, the quality of residential life in such a community is enhanced by well-planned commercial and other “support” uses within the Town.

Downtown Darien is listed in the draft SWRPA regional plan as a Town Center—a “Historic Town Center with cultural and governmental facilities, retail development and service-oriented commercial development.” Substantial changes in this area have been implemented since the 1995 Town Plan. This includes: renovation of the Darien Playhouse additions to the Darien Sport Shop, and the Grove Street Plaza project.

Noroton Heights is listed as a “Local Center”, which is defined as “Established neighborhood centers, with local retail and service businesses.” That too, has seen significant improvements over the past 10 years.

### **Downtown**

The Commission specifically notes that these concept plans do not show proposed development, but only development which represents the general design goals of downtown. Other designs not shown may be equally viable and desirable.

The concept plan on the page A9-11 (Exhibit 9-1) shows potential development and redevelopment on Boston Post Road in downtown, and in Noroton Heights. The concept plans provide guidance to planners, property owners, developers, and prospective investors. It also allows Planning and Zoning Department staff the opportunity to better guide developers, property owners and investors on the community’s desires and goals. These concept plans also reflect design views of the Planning and Zoning Commission, which include: sidewalks and improved pedestrian access; minimal curb cuts; shared driveways; small park/open space areas where appropriate; improved connections (both pedestrian and vehicular) to the municipal parking lots; and parking areas which flow into one another. In many, but not all cases, it would be logical to have buildings in these areas close to the road, with parking in the rear.

The concept plan for the north side of Boston Post Road shows the redevelopment of the northeast corner of Boston Post Road and Day Street. It shows the merging of three properties, demolition of the existing buildings and the construction of a new pedestrian-oriented commercial sales and service building, with a new sidewalk built to Model Block standards. It shows one ingress from Boston Post Road, in generally the same location as the existing curb cut, and uses the existing curb cuts to enter and exit via Day Street. The new building is closer to Boston Post Road and Day Street, in order to develop a consistent streetscape for direct pedestrian access to the area. Parking and traffic flow should be coordinated with adjacent properties. New landscaping will enhance the area. A design concern would be a long blank wall along Day Street which may be uninviting to pedestrians (eg. An existing example of this can be observed on both sides of Center Street near Boston Post Road). An open space plaza is not shown for this site, as there is no logical place for one in this area.

The concept for the south side of the Boston Post Road shows various property owners taking advantage of the special provision in the Darien Zoning Regulations which allows the establishment of rear building lines. Another important aspect of this concept is the new ingress into the Center Street municipal parking area. This may relieve some traffic congestion through downtown by getting motorists into the municipal parking with the least

amount of maneuvering. It also expands and makes more prominent the existing vest pocket park adjacent to the Exxon gas station, and preserves the existing brook corridor to the greatest extent possible. Pedestrian access from the municipal parking lot into Boston Post Road needs to be safe, convenient, and attractive. Buildings are located along the front property line to have direct access from the Boston Post Road sidewalk. The ground floor immediately adjacent to the Boston Post Road should be one story in height, and, in order to maximize sunlight in the area, should have the second floor recessed back at least ten feet. One potential option would be to have outdoor seating/dining on the second floor of one or more of the new buildings. Note that the concept shows both front and rear entrances to the buildings, with connections to the existing municipal parking lot in the rear, and also to other parking lots adjacent to it.



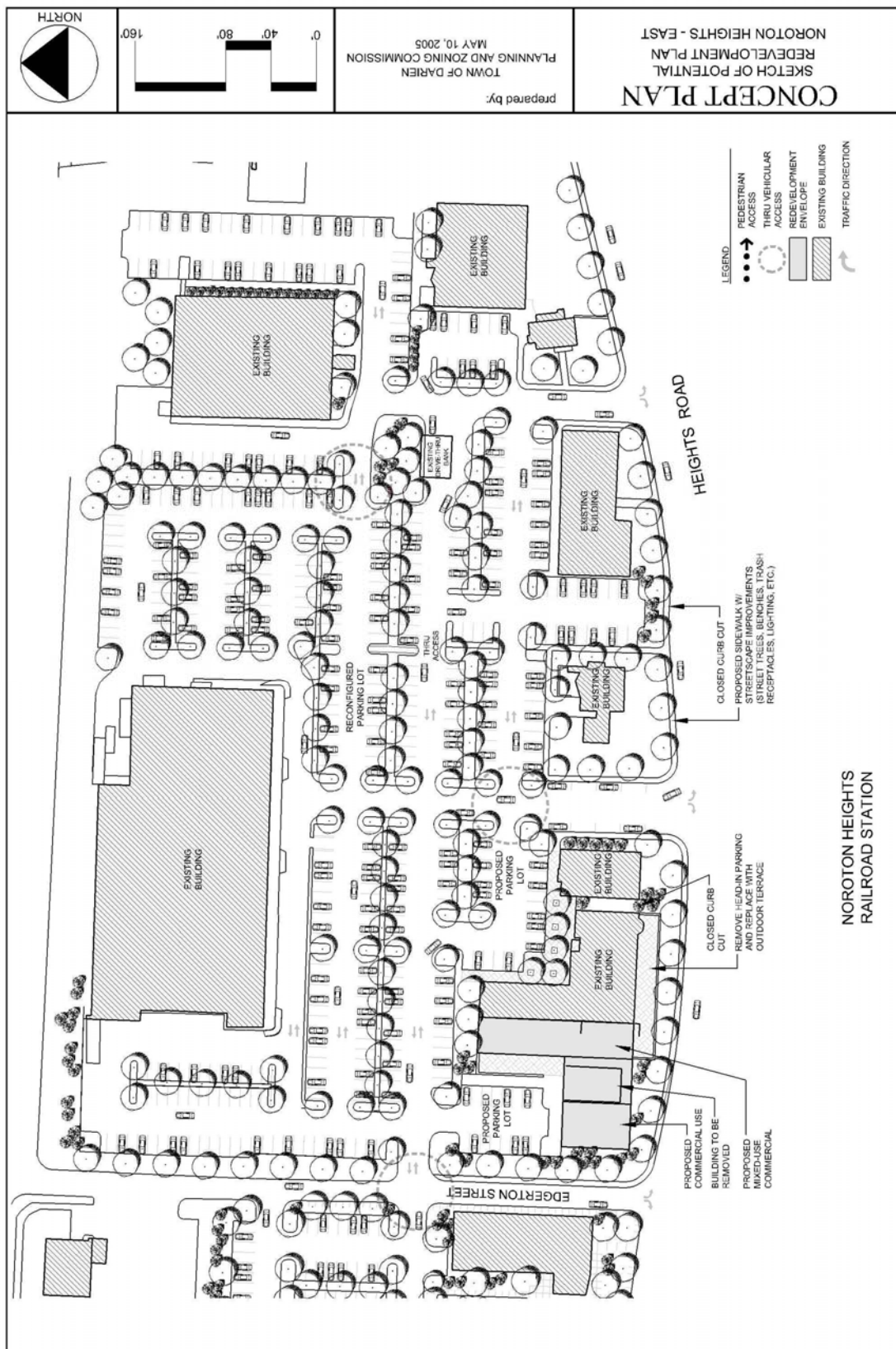
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Although not shown on a concept plan, a vacant parcel now exists on the south side of Old King's Highway South, nearly across from Corbin Drive. Wetlands exist on this parcel, and it is located in the Office Business (OB) Zone.

The Noroton Heights Concept Plans (Exhibits 9-2 and 9-3) show a better flow between parking lots, added and/or improved sidewalks and pedestrian access, and combined curb cuts on Heights Road. Vehicular access and curb cuts from West Avenue should continue to be prohibited. Most importantly, this Plan also shows the elimination of parking spaces perpendicular to Heights Road, where vehicles now back into the Road. This will improve both vehicular and pedestrian safety. The general goal is for safe pedestrian access throughout the area, and a circulation system which encourages shopping in a variety of stores.

Exhibit 9-2 shows the block between Edgerton Street and Noroton Avenue. Exhibit 9-3 shows the block between Hollow Tree Ridge Road and Edgerton Street.

# EXHIBIT 9-2 CONCEPT PLAN: NOROTON HEIGHTS EAST





**CONCEPT PLAN**  
**SKETCH OF POTENTIAL REDEVELOPMENT PLAN**  
 NOROTON HEIGHTS WEST

TOWN OF DARIEN  
 PLANNING AND ZONING COMMISSION  
 MAY 10, 2005

prepared by:

**LEGEND**

- PEDESTRIAN ACCESS: Dashed line with arrows
- VEHICULAR ACCESS: Solid line with arrows
- REDEVELOPMENT ENVELOPE: Shaded area
- EXISTING BUILDING: Solid black shape
- TRAFFIC DIRECTION: Arrow

**WEST AVENUE**

**HOLLOW TREE RIDGE ROAD**

**HEIGHTS ROAD**

**NOROTON HEIGHTS RAILROAD STATION**

EXISTING BUILDING  
 SERVICE ENTRANCE  
 RECONFIGURED PARKING LOT  
 RECONFIGURED BANK PARKING LOT  
 PROPOSED RETAIL USE  
 HEAD-IN PARKING REMOVED  
 RECONFIGURED PARKING LOT  
 EXISTING BUILDING  
 EXISTING BUILDING  
 EXISTING BUILDING  
 EXISTING BUILDING  
 BASED PLAZA  
 POST OFFICE  
 EXISTING BUILDING  
 RECONFIGURED PARKING LOT  
 CLOSED PARKING LOT CURB CUT HEAD-IN PARKING REMOVED  
 OUTDOOR PEDESTRIAN PLAZA  
 CONTINUOUS SIDEWALK W/ STREET CAFE SPACES, STREET TREES, BENCHES, TRASH RECEPTACLES, LIGHTING, ETC.)

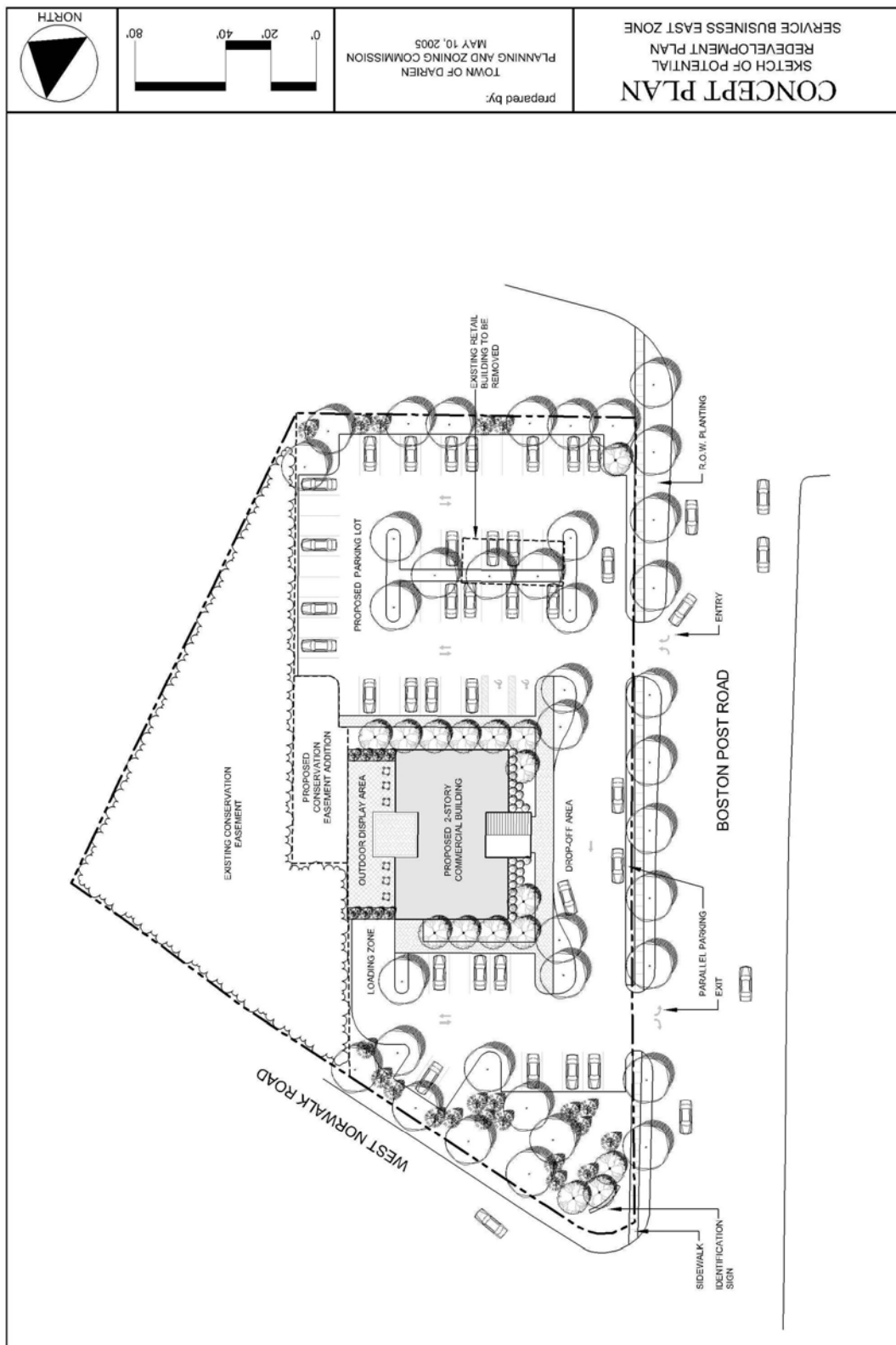
**EXHIBIT 9-4**  
**CONCEPT PLAN: NOROTON**



Exhibit 9-5 shows possible redevelopment of the two parcels on Boston Post Road between West Norwalk Road and the Darien Town Line. This is at the “gateway” to Darien coming westbound from Norwalk. The Commission has recently approved a bank here with external activity—four drive-through lanes. As other redevelopment occurs from West Norwalk Road westward, (such as on the vacant lot to the east of Driftwood Diner) similar landscaping features and driveways will be imperative to minimize curb cuts, improve sight lines; and create an aesthetically pleasing atmosphere. Adjacent residentially-zoned properties to the north of the SB-E properties need to have proper protection via landscaped buffers as called for under existing regulations.

Another property which has potential for redevelopment is the Howard Johnson’s property at the intersection of Ledge Road and Boston Post Road. This property is now zoned Service Business (SB). The Commission has considered the concept of a new hotel and restaurant on this 5+ acre property, and found that concept to be logical. Any redevelopment of the property should relocate all curb cuts to Ledge Road, use strong architectural and landscaping features along the Boston Post Road frontage of the property which faces I-95 Exit 11. Sidewalks to connect this property to downtown are important to have a strong connection to this area for visitors. Although car dealerships are allowed in this zone, this may not be the most desirable use for this location, which is on the edge of downtown, and is deserving of a more pedestrian-friendly and downtown-compatible use. The other reason that this site is prime for a hotel use is that there are very few commercial properties that have the required five acre minimum lot size, and this is one of them. An assisted living facility would also be a viable use for this property. Rezoning the property to allow condominiums may also be given consideration and review by the Planning and Zoning Commission, albeit, a commercial use is the prime value of this parcel to the community.

## EXHIBIT 9-5 CONCEPT PLAN: SERVICE BUSINESS EAST ZONE

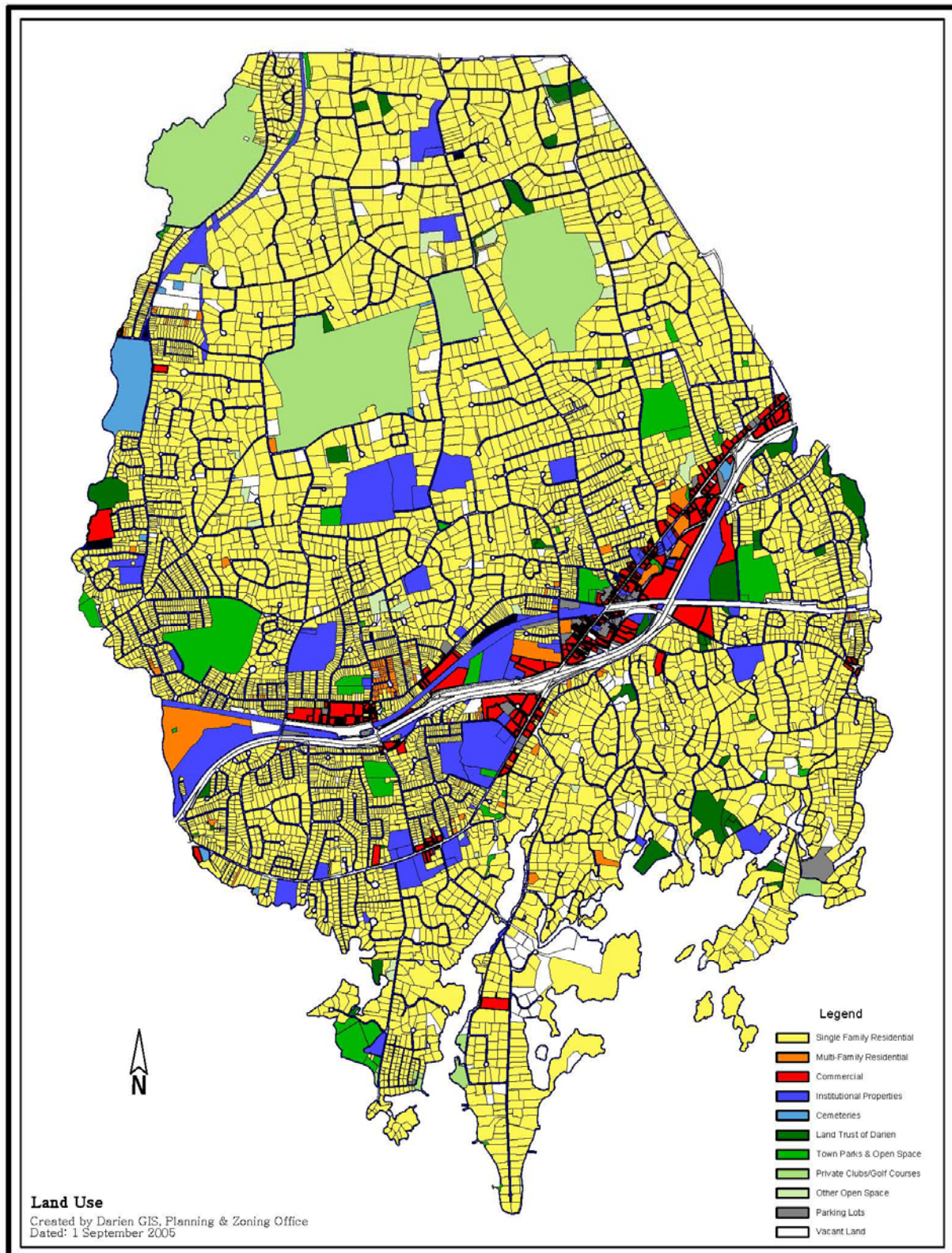


Outdoor seating/dining—In order to have more vibrant commercial areas, the Board of Selectmen and Planning & Zoning Commission have recently made a concerted effort to find appropriate locations for outdoor seating/dining. Said outdoor seating/dining may be on either privately-owned, or municipally-owned property, with the prior written authorization from the property owner. It is imperative that it be located in a safe area, properly away from traffic in the area and not obscuring or interfering with existing parking or with pedestrian flow or vehicle flow. Outdoor seating/dining shall have sufficient parking available nearby, and not cause a nuisance to other businesses or nearby residences. Trash pickup is important if there will be no wait service. The Planning and Zoning Commission should continue to develop written guidelines to assist property owners and commercial tenants about these uses.

Exhibit 9-6 shows existing land use in Darien as of September 2005. This Exhibit shows the limited amount of vacant land available in Town.



## EXHIBIT 9-6 EXISTING LAND USE



### **3. OPEN SPACE AND VACANT LAND**

#### **Open Space**

Chapter 8 and its related Appendix sets forth open space in Darien, and options for future acquisitions. The Town should focus its efforts on adding open space adjacent to existing parcels owned by the Town. Lands owned by the Darien Land Trust are also covered in Chapter 8--the Parks, Recreation and Open Space Chapter.

SWRPA is currently analyzing open space throughout the region, and that report should be reviewed by the community when complete.

“Natural” open space plays an important role in Town, separate and distinct from “recreational” open space. This includes environmental/ conservation purposes, aesthetic purposes, and for passive enjoyment (passive recreation opportunities). “Natural” open space also includes woodlands; wetlands; and vacant property left in its natural state. It plays a critical role in community development unlike active recreation facilities such as ballfields, tennis courts, and playgrounds. The rare and unique characteristics of natural open space and their important contribution to our environment, aesthetics and appearance of Darien, and contribution to passive enjoyment must be recognized. These lands should continue to be preserved.

One important method used to preserve the open “feel” in Darien has been through the use of conservation easements. This tool can be used to maintain a natural buffer along a roadway in order to create a feeling of open space. The Planning and Zoning Commission should continue to use this tool where appropriate, when approving subdivision applications.



Sign entering Woodland Park.

#### **Fees In Lieu of Open Space**

Because Darien is nearly “built-out”, obtaining small pieces of open space as part of each subdivision is not logical or efficient. A more efficient method of obtaining open space would be for the Planning and Zoning Commission to have the option to accept fees in lieu of open space as part of future subdivision approvals. This would establish a fund specifically designed for open space acquisition. Section 8-25b of the Connecticut General Statutes specifically authorizes payment of a fee in lieu of open space.

Also, the 10% open space requirement in the Darien Subdivision Regulations should be changed to 15% or 20% (see related discussion in Chapter 3--Environmental Resources). The fees in lieu of open space should be consistent with any future modified subdivision application requirement.

**Darien Land Trust**

No discussion of open space in Darien would be complete without a reference to the work of the Darien Land Trust (DLT). The mission of the Land Trust of Darien is to preserve and protect open space in Darien. Preservation of open space benefits the community by adding to quality of life values for the residents of the Town, maintaining precious natural habitats, and preserving the rural character of Darien.

As of February 23, 2004, The Land Trust now owns or has conservation easements on over 172 acres in 60 parcels in Darien (see Exhibits 8-5, 8-6, and 8-7 for these holdings). The DLT has permanently protected such diverse natural environments such as wetlands along the Five Mile River, tidal salt marshes at Scott's Cove, and upland forests in Dunlap Woods. Their recent acquisition of the nine-acre Mather Meadows has allowed preservation of a meadow habitat with historical significance. Although the majority of the Land Trust properties are too wet or fragile for pedestrian access, the Land Trust owns three large parcels with hiking trails open to the public: Dunlap Woods, Traendly Flood Plain, and Olson Woods.

The Land Trust acquires property through donation, purchase, or conservation easement. Examples of property with a high priority of preserving include: properties contiguous to existing Land Trust property, buildable lots, and environmentally sensitive parcels.

**EXHIBIT 9-7  
DARIEN LAND TRUST  
CONSERVATION EASEMENTS**

<b>DARIEN LAND TRUST CONSERVATION EASEMENTS (14.4 ACRES TOTAL)</b>			
<b><u>NAME</u></b>	<b><u>DATE</u></b>	<b><u>ACREAGE</u></b>	<b><u>LOCATION</u></b>
Three Lakes Park	9/28/1977	0.462	Denhurst Place (2 parcels) Locust Hill Road/Tokeneke Road
John A. Clarke	5/11/1978	0.5	
Jeffrey McClure	7/20/1979	0.623	Old Kings Hwy. So./Post Rd.
Neil Callahan	2/12/1982	0.563	Holly Pond Strip Brookside Road/Cherry Lawn Park
Darien Nature Center, Inc.	9/20/1993	3.5	West Avenue
Andrew Shaw Memorial Trust	12/2/1998	0.526	
Mather Meadows West B2 easement	3/13/2003	0.321	Brookside Road
Mather Meadows West B1 easement	3/13/2003	0.851	Brookside Road
<b>TOTAL:</b>		<b>7.346</b>	

*Source: Darien Land Trust*

**EXHIBIT 9-8  
PROPERTY OWNED BY  
DARIEN LAND TRUST**

**DARIEN LAND TRUST HOLDINGS**

OWNED PROPERTIES

TOTAL Acres = 150.5

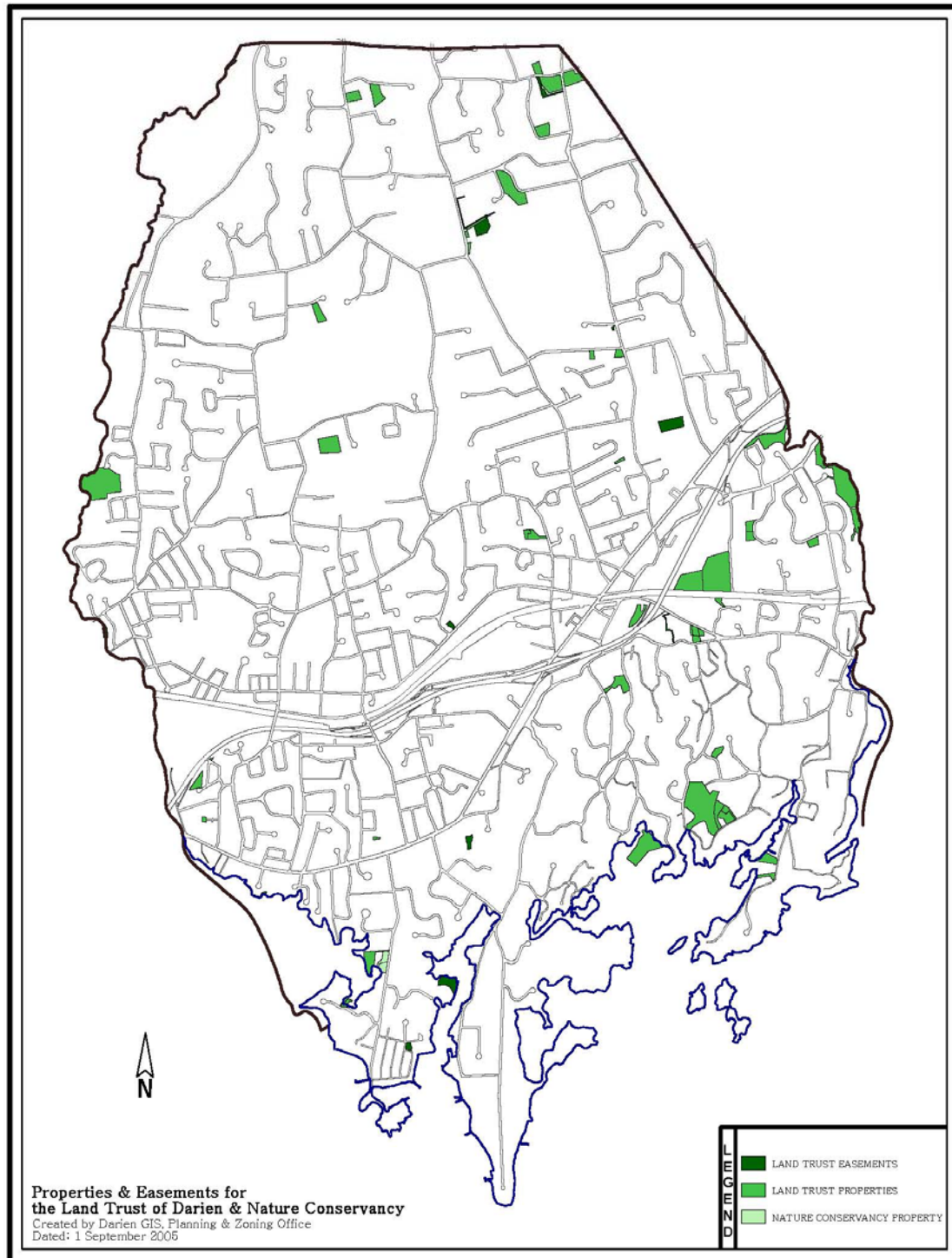
Total owned = 136.1 and total Conservation easements = 14.4

<u>GRANTOR</u>	<u>DATE FILED</u>	<u>ACREAGE</u>	<u>LOCATION</u>
1. Dunlap & Assoc., Inc..	7/13/1972	14.14	Fairmead Road
2. Joel Brooke et al	7/30/1973	0.56	Brush Island Road
3. Town of Darien	11/6/1974	1.55	Victory Drive
4. Norton, Inc.	12/2/1974	14.84	Scott's Cove
5. John A. Clarke	3/20/1975	0.30	Granaston Lane
6. Town of Darien	7/1/1975	6.0+	Fairmead Road
7. Town of Darien	7/1/1975	0.05	Devonshire & Turnpike
8. John A. Clarke	10/7/1975	1.10	Tulip Tree Lane
9. Corbin Development, Inc.	6/17/1976	1.86	Tokeneke Rd. (Dinner Theater)
10. James Rickard	10/26/1976	0.54	Buttonwood Lane
11. Georgena Dunphy	10/26/1976	0.83	Buttonwood Lane & Brookside Rd.
12. John P. Howland	12/20/1976	2.01	Dorchester Road
13. Corbin Development, Inc.	3/15/1977	See No. 14	Tokeneke Rd. (Dinner Theater)
14. Corbin Development, Inc.	3/22/1977	See No. 13	Tokeneke Road (Dinner Theater)
15. Ruth L. Lloyd	7/23/1977	4.98	Hanson Road
16. Calve Enterprises, Inc	9/7/1977	13.22	Traendly Flood Plains
18. John Oldrin	12/29/1977	1.80	Tokeneke Trail
19. John Oldrin	12/29/1977	1.21	Tokeneke Trail
20. Estate of E. S. Austin	1/23/1978	0.98	Locust Hill Road
22. Louis DeSilvestro	5/15/1978	0.54	Silver Lakes Drive
23. Kyra Bothwell	6/27/1978	2.86	Hoyt Street
24. Joseph R. Mygatt	9/6/1978	0.12	Stonewall Lane
25. Kenneth Mouncastle	12/26/1978	2.17	Indian Spring Trail
26. Kenneth Mountcastle	7/2/1979	2.00	Indian Spring Trail
28. Katrina A. Mygatt	8/15/1979	5.91	Mansfield Ave./Keewaydin Hilltop (4 parcels)
29. Clifton N. Cooke	12/27/1979	1.00	Contentment Island

30. John Oldrin	12/2/1980	1.07	Tokeneke Trail
			Locust Hill Rd./Tokeneke Rd.
32. Estate of E. S. Austin	2/15/1982	0.80	(2 parcels)
24a. Joseph R Mygatt	6/16/1983	see #24	No change in acreage
33. Sidney L. Murray	8/16/1983	0.25	Hillside Court
			Juniper Road/Gilbert's Island
34. Samuel Dorrance	5/18/1984	2.+	
			Scott's Cove/Delafield Island
36. Nature Conservancy of CT.	11/21/1984	20.+	
37. John Oldrin	12/6/1984	1.16	Tokeneke Trail
38. Helen B. Fawcett	12/12/1984	0.19	Brush Island
39. Briar Land Company	12/27/1984	1.88	Nature's Way
			Mansfield Avenue
40. Mansfield Greens	3/21/1988	1.60	(4 parcels)
41. Mansfield Greens	4/6/1988	6.37	Salisbury Road
42. Arthur Olson	12/29/1989	13.10	Heather Lane
			Old Kings Highway North
43. Arthur Olson	12/29/1989	3.08	
44. Neil Callahan	3/9/1990	0.23	Post Road
			Circle Road
45. John B. & Donna B. Ogilvie	7/8/1993	2.35	(2 parcels)
			Nearwater Lane/Holly Pond
47. Avery Brooke	12/28/1995	2.59	
48. Est. of Bertha M. McPherson	12/17/1997	1.25	Stephen Mather Road
		2.367+	
49. Daniel A. Walker	9/24/1998	0.48	Delafield Island Road
51. Richard Hokin	7/2/1999	0.58	Shipway Road
52. PG Properties Lmt'd	11/15/1999	1.01	Hope Drive
			Contentment Island Road
53. Nancy H. Glanville	12/19/2000	2.00	
<b>TOTAL: 116.80</b>			
<i>Source: Darien Land Trust web site. 2/23/2004.</i>			



**EXHIBIT 9-9  
PROPERTIES & EASEMENTS OWNED BY  
DARIEN LAND TRUST**



### **Public-private partnerships**

A recent phenomenon within Darien has been the use of public-private partnerships for to the provision of recreation facilities and services.

Recent examples include the field house, batting cages and special needs field at McGuane Park by the Darien Little League; the Cherry Lawn playground replacement; private fund-raising for artificial turf and a new scoreboard at the Darien High School; the dredging of Darien's harbor channel, and the construction of the Darien Nature Center within Cherry Lawn Park. It is likely that these types of partnerships will continue into the future. However, the Town needs to work closely with their partners to ensure that these private groups meet community needs and desires with projects that are consistent with all local plans, and the results do not burden the community with long-term costs that are not fiscally responsible.

### **Vacant Land**

Much of the privately-held vacant residential land in the community carries some environmental constraints—wetlands, steep slopes or ledge. This has made it difficult to develop. It is likely that any future development of these parcels will result in tight building envelopes, and possibly necessary approvals from the Environmental Protections Commission, Zoning Board of Appeals, and/or the Planning and Zoning Commission. In recent years, applications to these land use boards have increased by over 30%, as land has increased in value, the amount of vacant land in Darien has decreased, and responsible development upon the more difficult lots starts to become more economically feasible.

Being a nearly fully-developed community, remaining vacant land is in scattered parcels.

Substantial vacant properties include:

<b><u>Location</u></b>	<b><u>Acreage</u></b>
Procaccini, Hoyt Street (3 adjacent properties)	15+/-
Waterbury Lane (3 Building lots)	5+/-
Stephen Mather Road (1 building lot)	3+/-
Morehouse Lane (4 building lots)	3+/-
Long Neck Point Road (5 building lots)	5+/-
Coon Point Road (6 building lots)	10

There are a number of properties that are not vacant, but are oversized for the zoning district in which they exist. This might provide for future subdivision of such property into a number of building lots. In recent years, the Planning and Zoning Commission has seen a number of such proposals, including on Phillips Lane, Boston Post Road and Long Neck Point Road. Those types of applications are expected to continue; and, as they do, insight is gathered as to possible improvements in the Subdivision Regulations.

### **Utility-owned lands**

It is important to understand those properties owned by utilities, as they may be available for purchase by the Town in the future. There are a number of parcels in Town owned by various utility companies (Aquarion Water Company, State of Connecticut DOT, Connecticut Light & Power). Some of these have active uses on them, such as water towers, while others are just vacant. It is incumbent upon the Town to be prepared to respond to inquiries by the utilities on whether the Town is interested in potentially acquiring the land. Moreover, the Town should make its interests known to the current owners and request that it receive such inquiries before the owners place these properties on the market.

### **Conclusion**

The Town is likely to see redevelopment in both residential and commercial areas within the upcoming ten year planning period. Overall, however, the general policies of the Planning and Zoning Commission have served it well in the past, and the Commission should give strong consideration and deliberation prior to deviating from the current land use system within the community.



